

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF PENNSYLVANIA

IN RE: NATIONAL FOOTBALL LEAGUE
PLAYERS' CONCUSSION INJURY
LITIGATION

No. 2:12-md-02323-AB

MDL No. 2323

Hon Anita B. Brody

Kevin Turner and Shawn Wooden,
*on behalf of themselves and
others similarly situated,*

Plaintiffs,

v.

National Football League and
NFL Properties LLC,
successor-in-interest to
NFL Properties, Inc.,

Defendants.

THIS DOCUMENT RELATES TO:
ALL ACTIONS



**RESPONSE OF NONPARTY JUSTICE FUNDS IN OPPOSITION TO CO-LEAD CLASS
COUNSEL'S MOTION TO (1) DIRECT CLAIMS ADMINISTRATOR TO WITHHOLD
ANY PORTIONS OF CLASS MEMBER MONETARY AWARDS PURPORTEDLY
OWED TO CERTAIN THIRD-PARTY LENDING AND CLAIMS SERVICE
PROVIDERS, AND (2) DIRECT DISCLOSURE TO CLAIMS ADMINISTRATOR OF
THE EXISTENCE OF CLASS MEMBER AGREEMENTS WITH ALL THIRD PARTIES**

On October 23, 2017, Class Counsel singled out fifteen nonparty lenders and claims service providers, including Justice Funds, and requested that the Court require the Claims Administrator to withhold any payments due and owing to the fifteen entities regardless of whether there is any actual dispute over those payments from the Class Members or their chosen attorneys. [ECF No. 8470.] Class Counsel's Motion goes too far and asks the Court to exceed

the Constitutional limits of its jurisdiction, improperly requests the Court order injunctive relief without a proper basis, and attempts to have the Court adjudicate the contracts of nonparties. Justice Funds strenuously opposes Class Counsel's requested relief and requests that the Court deny the Motion, in full, but in the interest of judicial economy, joins the arguments of certain other nonparties. As such, and as expressly permitted by Fed. R. Civ. P. 10(c), nonparty Justice Funds incorporates and adopts by reference, as if set forth fully herein, the arguments of: sections II.A, II.B, and II.D of RD Legal Funding, LLC's Opposition to the Motion [ECF No. 8910 3-9], section II.A of Walker Preston Capital Holdings, LLC's Opposition to the Motion [ECF No. 8932-2 at 3-13], and sections III and IV of Thrivest's Opposition to the Motion [ECF No. *pending*].

By filing this Opposition, nonparty Justice Funds does not consent to the jurisdiction of this Court, and files its Opposition solely for the purposes of addressing limited jurisdictional and procedural defects with the Motion. Justice Funds does not consent to the jurisdiction of this Court by filing its Opposition, and fully intends to remain a nonparty to this litigation – as it has always been. Finally, Justice Funds has never been properly served by Class Counsel with a copy of their Motion, despite the Motion's attempt to affect contractual rights of Justice Funds and its clients. This defect alone should suffice to require denial of Class Counsel's Motion.

Respectfully submitted,

Dated: November 16, 2017

By: /s/ Richard L. Scheff

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the forgoing Opposition to Class Counsel's Motion was served on all counsel of record via the Court's ECF System on November 16, 2017.

/s/ Richard L. Scheff
Richard L. Scheff.